

S.R. 379 - by Clower: Extending welcome to Richard Kordus.

S.R. 380 - by Aikin: Extending welcome to Milton Guttierrez.

RECESS

On motion of Senator Aikin the Senate at 12:38 o'clock p.m. took recess until 8:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

(March 23, 1977)

S.C.R. 69

FORTIETH DAY

(Continued)

(Thursday, March 24, 1977)

AFTER RECESS

The Senate met at 8:30 o'clock a.m. and was called to order by Senator Adams.

INTERGOVERNMENTAL RELATIONS COMMITTEE GRANTED PERMISSION TO MEET

On motion of Senator Snelson and by unanimous consent, the Committee on Intergovernmental Relations was granted permission to meet while the Senate was in Session.

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Adams in the Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with the provisions of **S.R. 32**.

The following bills were laid before the Senate, read second time, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of the Constitutional Three-Day Rule and final passage indicated after each bill.)

S.B. 53 (Doggett) Relating to granting certain inheritance rights to and from an illegitimate child. (31-0)(31-0)

S.B. 401 (Truan, Farabee, Williams) Relating to certification of manufacturer, assembler, and installers of boilers. (31-0)(31-0)

S.B. 433 (Mauzy, Braecklein) Relating to the definition of "junked vehicle." (31-0)(31-0)

C.S.S.B. 443 (Jones of Harris) Amending the Firemen's and Policemen's Civil Service Act. (31-0)(31-0)

S.B. 496 (Parker) Relating to the use of school buses for nonschool activities. (31-0)(31-0)

C.S.S.B. 511 (Snelson) Relating to purchases of certain supplies, materials, services, and equipment for state use. (31-0)(31-0)

S.B. 512 (Snelson) Relating to raising the monetary requirement for written agreements or contracts between state agencies. (31-0)(31-0)

C.S.S.B. 602 (Williams) Relating to exemption of certain persons and organizations who install and service fire alarm systems from certain licensing requirements. (31-0)(31-0)

S.B. 609 (Mauzy) Relating to persons authorized to conduct marriage ceremonies. (31-0)(31-0)

S.B. 616 (Jones of Harris) Relating to the allowance in lieu of exempt property. (31-0)(31-0)

S.B. 617 (Jones of Harris) Relating to the amount of funeral and last sickness expenses in the order of payment of claims in the administration of estates. (31-0)(31-0)

C.S.S.B. 637 (Parker) Relating to changing the name of Lamar University at Jefferson and Orange Counties to Lamar University at Port Arthur. (31-0)(31-0)

S.B. 638 (Brooks) Relating to state agency funding of property damage insurance. (31-0)(31-0)

S.B. 641 (Creighton) Relating to the practice of engineering. (31-0)(31-0)

S.B. 713 (Adams) Relating to the election of the directors of Sabine County Hospital District. (31-0)(31-0)

C.S.S.B. 718 (Parker) Relating to membership, compensation, and authority of the Liberty County Juvenile Board. (31-0)(31-0)

S.B. 726 (Brooks) Relating to the prevention, eradication and control of tuberculosis. (31-0)(31-0)

S.B. 757 (Brooks) Relating to the establishment, operation, and maintenance of a foreign trade zone at the Houston port of entry. (31-0)(31-0)

C.S.S.B. 772 (Mauzy) Relating to bailiffs for certain courts in Dallas County. (31-0)(31-0)

C.S.S.B. 773 (Doggett) Relating to construction of certain buildings to make them accessible to the handicapped. (31-0)(31-0)

S.B. 791 (Doggett) Relating to refusal of benefits under a will or inheritance. (31-0)(31-0)

S.B. 804 (Moore) Relating to dentists, the practice of dentistry and its regulation. (31-0)(31-0)

S.B. 809 (Doggett) Relating to the defense of lack of privity of contract when the defendant is a manufacturer. (31-0)(31-0)

S.B. 812 (Mauzy) Relating to the composition of the First Administrative Judicial District. (31-0)(31-0)

S.B. 823 (Snelson) Relating to the care after the age of 18 years of persons residing in facilities operated by the Texas Youth Council. (31-0) (31-0)

S.B. 849 (Williams) Relating to the duties of the presiding judge of municipal courts of record in certain cities. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

S.B. 893 (Moore) Relating to the practice of dentistry. (31-0)(31-0)

S.B. 1048 (Truan) Relating to qualifications of members of the Texas Rehabilitation Commission. (31-0) (31-0)

C.S.S.B. 1160 (Moore) Relating to the filing of financial statements with the secretary of state by candidates for certain offices. (31-0) (31-0)

C.S.S.B. 1161 (Moore) Increasing the fee collected by the secretary of state for issuing a notary public commission. (31-0)(31-0)

S.C.R. 16 (Clower) Requesting all cities within the state's Standard Metropolitan Statistical Areas to consider the adoption of ordinances regulation the automobile repair business. (vv)

S.C.R. 29 (Mauzy) Directing the State Board of Education to provide current information necessary for decisions of the legislature and the State Board of Education. (vv)

S.C.R. 30 (Mauzy) Directing the State Board of Education to revise its accreditation standards. (vv)

S.C.R. 55 (Traeger) Granting Sue Greer permission to sue the State of Texas. (vv)

S.C.R. 57 (Mauzy) Creating a special interim committee to study coordination across agency lines and educational programs for all migratory children. (vv)

S.C.R. 58 (Clower) Granting E. W. Hable and Sons, Inc., permission to sue the State of Texas. (vv)

S.C.R. 62 (Mauzy) Creating a special interim committee to study loan programs for students enrolled in eligible postsecondary educational institutions. (vv)

S.C.R. 63 (Doggett) Granting City National Bank permission to sue the State of Texas. (vv)

S.C.R. 67 (Doggett) Granting Alamo Title, Inc., and Gunn Title of San Antonio, Inc., permission to sue the State of Texas. (vv)

S.C.R. 68 (Sherman) Granting Phillips Petroleum permission to sue the State of Texas. (vv)

S.C.R. 70 (Schwartz) Granting Shirley Danesi, et al, permission to sue the State of Texas. (vv)

S.R. 335 (Adams) Instructing the chairman of the Subcommittee on Nominations to call meetings and public hearings during the interim. (vv)

H.B. 97 (Santiesteban) Relating to the right of defense counsel to inspect a probation report. (31-0)(31-0)

H.B. 148 (Harris) Relating to providing for discovery and production of documents and interrogatories to parties in agency proceedings. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

H.B. 372 (Jones of Taylor) Relating to the composition and creation of the 52nd and 242nd Judicial Districts. (31-0)(31-0)

H.B. 720 (Brooks) Authorizing the head of a mental hospital to discharge a resident patient absent without authority from a state hospital for a period of eighteen months. (31-0)(31-0)

H.B. 754 (Creighton) Relating to the State Youth Development Council. (31-0)(31-0)

The following bills were laid before the Senate, read second time, amended, passed to engrossment, read third time and passed: (Amendment printed following bill number, as well as vote on suspension of Constitutional Three-Day Rule and final passage.)

C.S.S.B. 387 (Jones of Harris) Relating to continuing legal education of municipal court judges. (31-0)(31-0)

Senator Jones of Harris offered the following amendment to the bill:

Amend Section 1 of **C.S.S.B. 387** to read as follows:

"Section 1. Each municipal court judge in the State of Texas who is not a licensed attorney in this state may complete successfully within one year from the date he is first elected or appointed, or if he is in office on the effective date of this Act, within one year from the effective date of this Act, a 24-hour ~~[40-hour]~~ course in the performance of his duties. Thereafter, he may complete a minimum of 8 ~~[20]~~ hours each year. The course may be completed in an accredited state-supported school of higher education or in a continuing education course, program, seminar, or law school or law enforcement school approved by the Texas Judicial Council."

Amend Section 2 of **C.S.S.B. 387** to read as follows:

"Sec. 2. Each municipal court judge in the State of Texas who is a licensed attorney and in good standing with the State Bar Association may complete

successfully within one year from the date he is first elected or appointed, or if he is in office on the effective date of this Act, within one year from the effective date of this Act, an 8-hour ~~[20-hour]~~ course in the performance of his duties. Thereafter, he may complete an 8-hour ~~[16-hour]~~ course each year. The course may be completed in an accredited state-supported school of higher education or in a continuing education course, program, or seminar approved by the Texas Judicial Council."

The amendment was read and was adopted.

On motion of Senator Jones of Harris and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

S.B. 513 (Snelson) Transferring the comptroller's property inventory responsibilities. (31-0)(31-0)

Senator Snelson offered the following committee amendment:

Amend **S.B. 513** by striking "Fifty Dollars (\$50.00)" on page 4, line 16 and substituting in lieu thereof, "Two hundred and fifty Dollars (\$250.00)."

The committee amendment was read and was adopted.

On motion of Senator Snelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

S.B. 666 (Mengden) Relating to the records of secondhand metal dealers. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

Senator Mengden offered the following committee amendment to the bill:

Amend **S.B. No. 666** by striking "thumbprint" in quoted Subdivision (2) of Section 1 and substituting "photograph taken on the date of the sale."

The committee amendment was read and was adopted.

On motion of Senator Mengden and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

S.B. 806 (Schwartz) Relating to the creation of the County Court No. 3 of Galveston County. (31-0)(31-0)

Senator Schwartz offered the following amendment to the bill:

Amend Senate Bill 806 all below the enacting clause and substitute in lieu thereof the following:

Section 1. There is created on the effective date of this Act a court to be held in Galveston County to be known as the "County Court No. 2 of Galveston County."

Sec. 2. (a) The County Court No. 2 of Galveston County shall have the same jurisdiction over criminal matters that is now or may be vested in county courts having jurisdiction in criminal actions, matters, and proceedings under the constitution and laws of Texas and shall have appellate jurisdiction in all appeals in criminal cases from justice courts and municipal courts within Galveston County.

The judge of the court shall have the same powers, rights, and privileges as to criminal matters as are now or may be vested in the judges of county courts having criminal jurisdiction.

(b) The County Court No. 2 of Galveston County shall have the same jurisdiction and powers in civil actions, matters, and proceedings that are now or may be conferred by law upon and vested in the County Court of Galveston County, the County Court No. 1 and the Probate County Court of Galveston County, and the judges thereof. The jurisdiction of the County Court of Galveston County and Probate County Court and the County Courts Nos. 1 and 2 of Galveston County, over all such actions, matters, and proceedings, civil and criminal, within Galveston County, shall be concurrent.

(c) In addition to the other jurisdiction granted in this section, the County Court No. 2 of Galveston County has jurisdiction concurrent with the district court in eminent domain cases and in civil cases when the matter in controversy exceeds \$500 and does not exceed \$10,000, exclusive of interest.

Sec. 3. (a) Criminal cases shall be filed and docketed sequentially in the County Court No. 1 of Galveston County and County Court No. 2 of Galveston County. Civil cases shall be filed and docketed sequentially in the County Court No. 1, County Court No. 2, and the Probate County Court of Galveston County. Upon the effective date of this Act, the civil cases now filed and docketed in County Court No. 1 shall be refiled in an equal and proportionate manner among the County Court No. 1, County Court No. 2, and the Probate County Court of Galveston County. The criminal cases now filed and docketed in County Court No. 1 shall be refiled in an equal and proportionate manner between County Court No. 1 and County Court No. 2.

(b) Probate matters, mental illness cases, alcoholism hearings, and condemnation cases shall continue to be filed and docketed in the County Court of Galveston County and the Probate County Court of Galveston County in the same manner as they have been heretofore filed and docketed, except as may otherwise be agreed upon by consent of all judges of the county courts of Galveston County and the county probate court.

Sec. 4. The clerk of the County Court No. 2 of Galveston County shall keep a separate docket for the court, in the same manner as now or may be provided by law for the keeping of dockets for the County Court of Galveston County and the County Court No. 1 and the Probate County Court of Galveston County. He shall tax the official court reporter's fee as costs in civil actions in the County Court No. 2 of Galveston County in like manner as the fee is taxed in civil cases in the district courts of this state. The judge of the County Court of Galveston County and the judges of the Probate County Court and the County Courts Nos. 1 and 2 of Galveston County may, with the consent of the judge of the court to which transfer is to be made, transfer civil or criminal actions, matters, and proceedings from his respective court to any one of the other courts by entry of an order to that effect upon the docket of his court. The judge of the court to which any such action, matter, or proceeding, civil or criminal, shall have been transferred, shall have jurisdiction to hear and determine the matter or matters and render and enter the necessary and proper orders, decrees, and judgments therein, and in the same manner and with the same force and effect as if the case, action, matter, or proceeding had been originally filed in the court to which transferred. However, no cause, action, matter, case, or proceeding shall be transferred without the consent of the judge of the court to which it is transferred.

Sec. 5. The judge of the County Court No. 2 of Galveston County, together with the judges of the County Court of Galveston County and the County Court No. 1 and the Probate County Court of Galveston County, may, at any time, exchange benches and may, at any time, sit and act for and with each other in any civil or

criminal case, matter, or proceeding now or hereafter pending in their courts, and all such acts thus performed by any of the judges shall be valid and binding on all parties to such cases, matters, and proceedings.

Sec. 6. The practice in the County Court No. 2 of Galveston County shall be the same as prescribed by law relating to county courts and county courts at law. Appeals and writs of error may be taken from judgments and orders of the County Court No. 2 of Galveston County, and from judgments and orders of the judge thereof, in civil and criminal cases and in the same manner as now is or may hereafter be prescribed by law relating to such appeals and writs of error. Appeals may also be taken from interlocutory orders of the County Court No. 2 of Galveston County appointing a receiver or from orders overruling a motion to vacate or appointing a receiver. The procedure and manner in which the appeals from interlocutory orders are taken shall be governed by the laws relating to appeals from similar orders of the district courts throughout this state.

Sec. 7. The judge of the County Court No. 2 of Galveston County with the approval of the commissioners court may appoint an official shorthand reporter for the County Court No. 2, who shall be well-skilled in his profession and shall be a sworn officer of the court and shall hold his office at the pleasure of the court. All of the provisions of Chapter 13, Title 42, Revised Civil Statutes of Texas, 1925, as amended, and all other applicable provisions of the law relating to "official court reporters" shall apply to the official shorthand reporter herein authorized to be appointed. The official shorthand reporter shall be entitled to the same compensation, to be paid in the same manner, as provided for the official shorthand reporters of the district courts of Galveston County.

Sec. 8. The county clerk of Galveston County shall be the clerk of the County Court No. 2 of Galveston County. The court shall have a seal consisting of a star of five points with the words "County Court No. 2 of Galveston County" engraved thereon. The sheriff of Galveston County shall appoint a deputy to attend the court when required by the judge.

Sec. 9. The criminal district attorney of Galveston County shall represent the state in all prosecutions in the County Court No. 2 of Galveston County as provided by law for prosecutions in county courts and shall be entitled to the same fees as in other cases.

Sec. 10. There shall be elected a judge of the County Court No. 2 of Galveston County, who shall have been a duly licensed and practicing member of the State Bar of Texas for not less than five years, who shall be well-versed in the laws of the state, and who shall have resided in and been actively engaged in the practice of law in Galveston County for a period of not less than four years prior to his election. When this Act becomes effective, the commissioners court shall appoint a judge of the County Court No. 2 of Galveston County, who shall have the qualifications prescribed in this section and who shall serve until the next general election and until his successor shall have been duly elected and have qualified. Beginning at the general election in 1978 and every fourth year thereafter, there shall be elected by the qualified voters of the county a judge of the County Court No. 2 for a regular term of four years as provided by the Texas Constitution. A vacancy thereafter occurring in the office of the judge of the County Court at Law No. 2 of Galveston County shall be filled by the Commissioners Court of Galveston County, and the appointee shall hold office until the next succeeding general election and until his successor shall be duly elected and have qualified.

Sec. 11. (a) The judge of the County Court No. 2 of Galveston County shall take the oath of office prescribed by the constitution, but no bond shall be required of him.

(b) The Commissioners Court of Galveston County shall fix the yearly salary of the judge of the County Court No. 2 of Galveston County at the same salary paid

all judges of other county courts and the Probate County Court of Galveston County. The salary shall be paid to each judge in equal monthly installments out of the General Fund of Galveston County by warrants drawn on the county treasury on orders of the Commissioners Court of Galveston County.

Sec. 12. A special judge may be appointed or elected for the County Court No. 2 of Galveston County in the same manner as may now or hereafter be provided by the general laws of this state relating to the appointment and election of special judges. Every special judge appointed or elected for the court shall receive for the services he may actually perform the same amount of pay which the regular judge of the court would be entitled to receive for such services.

Sec. 13. The County Court No. 2 of Galveston County, or the judge thereof, shall have power to grant all writs necessary to the enforcement of the jurisdiction of the court and to issue writs of habeas corpus in cases where the offense charged is within the jurisdiction of the court or of any other court in Galveston County of inferior jurisdiction to the County Court No. 2 of Galveston County.

Sec. 14. The County Court No. 2 of Galveston County shall hold six terms of court commencing on the first Monday in January, March, May, July, September, and November of each year, and each term shall continue until the business of the court is disposed of. No term of the court shall extend beyond the date fixed for the commencement of the succeeding term except pursuant to an order entered on the minutes during the term to be extended.

Sec. 15. The judge of the County Court No. 2 shall be a member of the Juvenile Board of Galveston County and shall have the same jurisdiction over juvenile proceedings as the judges of the County Court No. 1, the Probate County Court, and the Court of Domestic Relations for Galveston County, with juvenile proceedings filed sequentially in the County Court No. 1, the Probate County Court, the County Court No. 2, and the Court of Domestic Relations.

Sec. 16. Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 1970-342, Vernon's Texas Civil Statutes), is amended by adding Section 1b to read as follows:

"Section 1b. (a) The name of the Probate Court of Galveston County is changed to the 'Probate County Court of Galveston County,' and the seal of the court shall contain the words 'Probate County Court of Galveston County.'

"(b) In addition to all other jurisdiction granted by law to the Probate County Court of Galveston County, the court has jurisdiction concurrent with the district court in eminent domain cases and in civil cases when the matter in controversy exceeds \$500 and does not exceed \$10,000, exclusive of interest.

"(c) The judge of the Probate County Court of Galveston County may with the approval of the commissioners court appoint an official shorthand reporter for the Probate County Court, who shall be well-skilled in his profession and shall be a sworn officer of the court and shall hold his office at the pleasure of the court. All of the provisions of Chapter 13, Title 42, Revised Civil Statutes of Texas, 1925, as amended, and all other applicable provisions of the law relating to 'official court reporters' shall apply to the official shorthand reporter herein authorized to be appointed. The official shorthand reporter shall be entitled to the same compensation, to be paid in the same manner, as provided for the official shorthand reporters of the district courts of Galveston County. The court reporter shall be required primarily to report cases in the Probate County Court of Galveston County, but may be made available, when not engaged in a jury trial in that court, to report jury trials in the County Court of Galveston County and to the district attorney for examining trials in justice courts."

Sec. 17. Section 2, Chapter 269, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1970-342a, Vernon's Texas Civil Statutes), is amended by adding Subsection (c) to read as follows:

"(c) In addition to the other jurisdiction granted in this section, the County Court No. 1 of Galveston County has jurisdiction concurrent with the district court in eminent domain cases and in civil cases when the matter in controversy exceeds \$500 and does not exceed \$10,000, exclusive of interest."

Sec. 18. Sections 7 and 12, Chapter 269, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1970-342a, Vernon's Texas Civil Statutes), are amended to read as follows:

"Section 7. ~~The judge of [Judges of the County Court of Galveston County,]~~ the County Court No. 1 of Galveston County may with the approval of the commissioners court [and the County Court No. 2 of Galveston County shall] appoint an official shorthand reporter for the County Court No. 1, who shall be well-skilled in his profession and shall be a sworn officer of the court, and shall hold his office at the pleasure of the court. All of the provisions of Chapter 13, Title 42, Revised Civil Statutes of Texas, 1925, as amended, and all other applicable provisions of the law relating to 'official court reporters' shall apply to the official shorthand reporter herein authorized to be appointed. Such official shorthand reporter shall be entitled to the same compensation, to be paid in the same manner, as provided for the official shorthand reporters of the district courts of Galveston County, Texas. Said court reporter shall be required primarily to report cases in the County Court No. 1 of Galveston County, but may [shall] be made available, when not engaged in a jury trial in said court, to report jury trials in the County Court of Galveston County and ~~[the County Court No. 2 of Galveston County and]~~ to the District Attorney for examining trials in Justice Courts ~~[and trials in the Court of Domestic Relations].~~"

"Section 12. A special judge may be appointed or elected for the County Court No. 1 of Galveston County in the same manner as may now or hereafter be provided by the General Laws of this state relating to the appointment and election of special judges. Every such special judge thus appointed or elected for said court shall receive for the services he may actually perform the same amount of pay which the regular judge of said court would be entitled to receive for such services ~~[- and said amount to be paid to such special judge shall be deducted from or paid out of the salary of the regular judge of said court].~~"

Sec. 19. The provisions of this Act take effect on September 1, 1977.

Sec. 20. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after September 1, 1977, and it is so enacted.

The amendment was read and was adopted.

Senator Schwartz offered the following amendment to the bill:

Amend Senate Bill 806 all above the enacting clause to read as follows:

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the County Court No. 2 of Galveston County; changing the name of the Probate Court of Galveston County to the Probate County Court of Galveston County; relating to the jurisdiction, court reporters, and other provisions for the Probate County Court and county courts of Galveston County; amending Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as amended

(Article 1970-342, Vernon's Texas Civil Statutes), by adding Section 1b; amending Chapter 269, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 1970-342a, Vernon's Texas Civil Statutes), by adding Subsection (c) to Section 2 and amending Sections 7 and 12; and declaring an emergency.

The amendment was read and was adopted.

S.B. 810 (Adams) Designating the official site of the Mission of Nuestra Senora de los Ais for archeological purposes. (31-0)(31-0)

Senator Adams offered the following committee amendment to the bill:

Amend S.B. 810 on page 3, line 1, by striking the word "Historical".

On page 3, line 1, after the word "Register" and before the word "as", insert the words "of Historic Places".

The committee amendment was read and was adopted.

On motion of Senator Adams and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 502 (Kothmann) Relating to the compensation of judges in certain counties. (30-1) Mauzy "Nay" (30-1) Mauzy "Nay"

Senator Mauzy offered the following amendment to the bill:

Amend H.B. No. 502 by striking all below the enacting clause and inserting the following:

Section 1. Subsection (c), Section 8, Chapter 427, Acts of the 54th Legislature, 1955, as amended (Article 3883i, Vernon's Texas Civil Statutes), is amended to read as follows:

"(c) In all counties of this state having a population of not less than 750,000 nor more than 1,000,000 according to the last preceding Federal Census, the Commissioners Court shall fix the annual salaries of ~~county officials in amounts not to exceed the following:~~

~~[(1) The salary of the county judge, \$22,500; the county commissioners, \$22,000; district attorney, \$26,000; sheriff, \$22,000; tax assessor and collector, \$25,000; judges of the] county courts at law judges in an amount not less than \$25,000 annually and not to exceed nine-tenths of the total annual salary, including supplements, paid any district judge sitting in the county. [and county civil court at law, \$25,000; county clerk and district clerk, \$22,000; county treasurer, \$18,000.]~~ Salaries fixed by this Section shall be payable in equal monthly installments.~~[; justices of the peace and the constables may receive not to exceed \$16,000 per annum to be paid in equal monthly installments;]~~ Nothing in Chapter 622, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 3912k, Vernon's Texas Civil Statutes), applies to judges of the county courts at law.

~~[(2) The county judge in those counties, shall be allowed, in addition to all other compensation in this subsection, a sum, to be set by the commissioners court, not to exceed \$4,500 per annum for serving as a member of the County Juvenile Board which shall be paid in 12 equal monthly installments out of the general fund of the county and which additional compensation shall be in addition to all other salary or other compensation now paid to the county judge.]"~~

Sec. 2. Chapter 322, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 1970-301h, Vernon's Texas Civil Statutes), is repealed.

Sec. 3. Section 1, Chapter 906, Acts of the 62nd Legislature, Regular Session, 1971 (Article 3883i-2, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 1. In all counties of this State having a population of not less than one million, two hundred thousand (1,200,000) [~~one million, five hundred thousand (1,500,000)~~] inhabitants, according to the last preceding Federal census, the Commissioners Court shall fix the salary of each of the Judges of the Probate Courts, Judges of the County Courts at Law, ~~and~~ Judges of the County Criminal Courts at Law, and the Judges of the County Criminal Courts of Appeals at not less than One Thousand Dollars (\$1,000) less per annum than the total annual salary, including supplements, received by Judges of the District Courts in such counties, which shall be paid in twelve (12) equal monthly installments."

Sec. 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend H.B. No. 502 by striking all above the enacting clause and inserting the following:

A BILL TO BE ENTITLED

AN ACT

relating to the compensation of judges in certain counties; amending Subsection (c), Section 8, Chapter 427, Acts of the 54th Legislature, 1955, as amended (Article 3883i, Vernon's Texas Civil Statutes); amending Section 1, Chapter 906, Acts of the 62nd Legislature, Regular Session, 1971 (Article 3883i-2, Vernon's Texas Civil Statutes); repealing Chapter 322, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 1970-301h, Vernon's Texas Civil Statutes).

The amendment was read and was adopted.

CONCLUSION OF SESSION FOR LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Adams in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

BILL SIGNED

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bill:

S.B. 291

ADJOURNMENT

On motion of Senator Aikin the Senate at 9:13 o'clock a.m. adjourned until 10:30 o'clock a.m. today.

FORTY-FIRST DAY
(Thursday, March 24, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Absent-excused: Clower.

A quorum was announced present.

The Reverend Efrain Buenfil, El Buen Pastor Presbyterian Church, Austin, Texas, offered the invocation as follows:

God our Father, we are continually asking Thee for something and You have given us everything. You have given us life and You have made that life new and meaningful in Jesus Christ. You have given us each other and this city and the world, and have given us responsibility. Help us in response to Your gifts, to be responsible.

Enlarge our visions, Lord, our sights beyond our little worlds and give us eyes to see the hurts of others and ears to hear their cries for help. Set the State in our hearts, help us to see all its problems, help us to understand them and with the ability You have given us, help us to solve them. Measure our real concern for others not in terms of what we offer as money, but in terms of our willingness to enter the lives of others to guarantee under law the liberty of every individual. Bless our land with honorable industry, sound learning and pure manners. Save us from violence, discord and confusion; from pride and arrogance and from every evil way. Defend our liberties and fashion into one happy people the multitudes brought hither out of many kindreds and tongues. Induce with the spirit of wisdom those to whom in Thy name we entrust the authority of government that there may be justice and peace at home, and that through obedience to Thy law we may show forth Thy praise among the nations of the earth. Take under Thy governance and protection Thy servants, the President, the governor of the state, the law givers, the judges and all who are entrusted with authority. Bless all the decisions to be made today and tomorrow. In Jesus' name we pray. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.